



# TREATMENT OF PRISONERS OF WAR AND UPDATE ON THE HUMAN RIGHTS SITUATION IN UKRAINE

1 June 2024 – 31 August 2024



UNITED NATIONS  
**HUMAN RIGHTS**  
OFFICE OF THE HIGH COMMISSIONER

**Photo cover page**

An emergency team moments after the Okhmatdyt Hospital was damaged by a missile strike on 8 July 2024.

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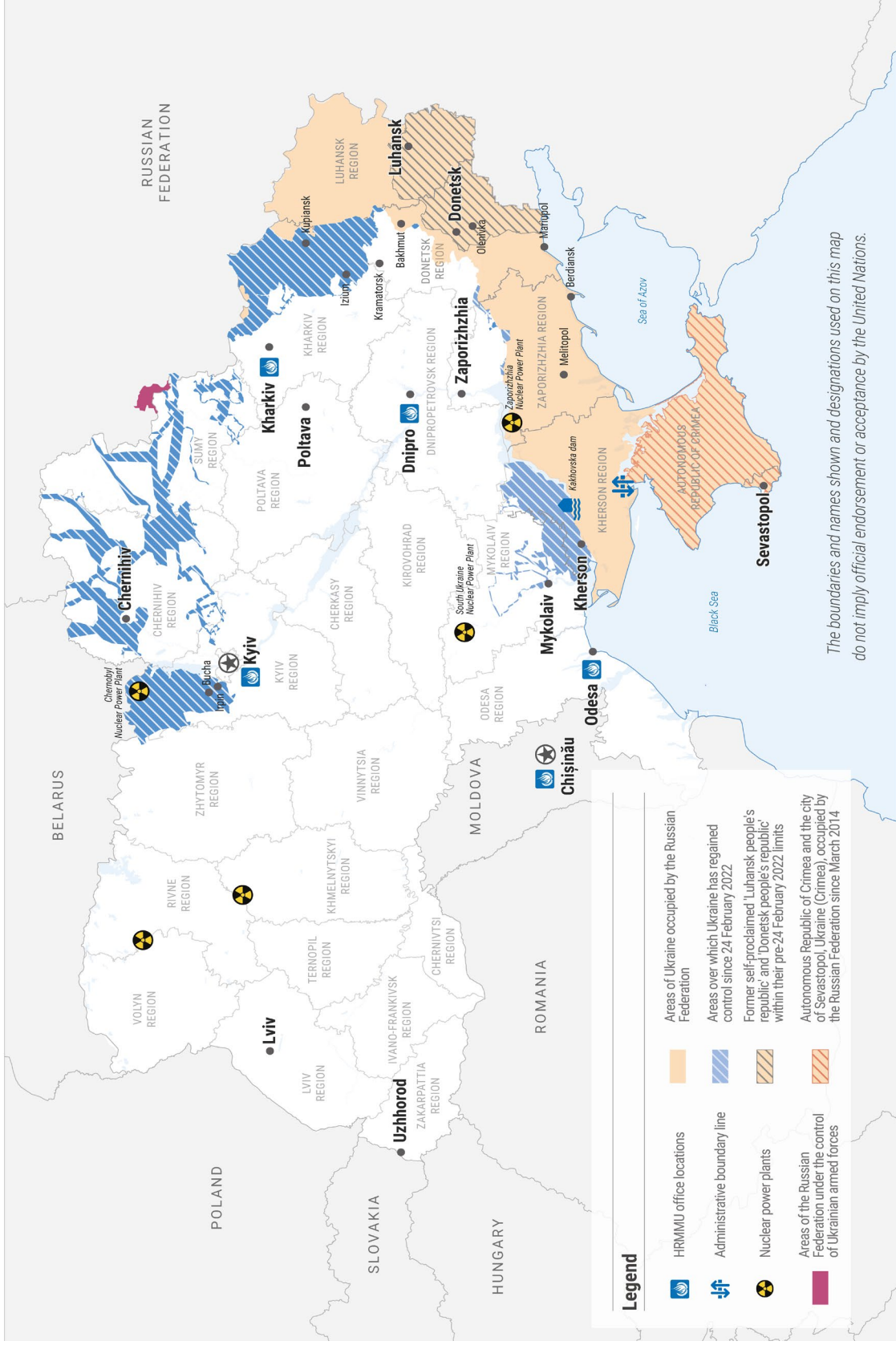
*Ukraine*

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# UKRAINE: UN HUMAN RIGHTS MONITORING MISSION IN UKRAINE

As of 31 August 2024



The boundaries and names shown and designations used on this map do not imply official endorsement or acceptance by the United Nations.

## I. EXECUTIVE SUMMARY

1. This fortieth periodic report by OHCHR describes key human rights developments in Ukraine from 1 June to 31 August 2024.<sup>1</sup> In addition, this report presents OHCHR assessment of the overall scope and scale of torture and ill-treatment experienced by prisoners of war (POWs) since the full-scale invasion of Ukraine by Russian armed forces on 24 February 2022.
2. Since 24 February 2022, OHCHR has interviewed 377 Ukrainian POWs, including 24 women, released from Russian Federation captivity, and 434 Russian POWs, including one woman, in Ukrainian internment facilities.
3. Russian authorities have subjected Ukrainian POWs to widespread and systematic torture and ill-treatment. Detailed and consistent accounts of torture or ill-treatment in Russian Federation custody were provided by 169 out of 174 Ukrainian POWs interviewed by OHCHR since March 2023 when OHCHR published a dedicated report on the treatment of POWs. Their accounts have been corroborated by other sources of information. Ukrainian POWs described severe beatings, electric shocks, sexual violence, suffocation, prolonged stress positions, forced excessive exercise, sleep deprivation, mock executions, threats of violence, and humiliation.
4. Torture or other forms of ill-treatment were pervasive during interrogation and throughout all stages of captivity, including during admission procedures, daily internment routines, and as a result of dire conditions of internment. Entire groups of Ukrainian POWs were routinely subjected to these abusive practices across various internment facilities in numerous regions within occupied territory of Ukraine and the Russian Federation, showing similar patterns of brutality.
5. Procedural safeguards meant to prevent torture and ill-treatment were frequently not implemented or were ineffective, compounded by inadequate legislation and a lack of accountability for such violations.
6. Many of the documented instances of torture or ill-treatment involved different State entities, suggesting often significant levels of coordination between them. The routine nature of the abuse, occurring on a daily or weekly basis and continuing throughout the period of internment, also indicated knowledge of facility supervisors. Ukrainian POWs recounted that, in a few cases when external officials visited places of internment, the torture and ill-treatment temporarily ceased and conditions improved, showing that officials in charge of the facilities could stop the torture and ill-treatment when necessary.
7. Public figures in the Russian Federation have explicitly called for inhumane treatment, and even execution, of Ukrainian POWs, often using dehumanizing terms in public discourse and through State-owned media. The denial of access to internment facilities for independent monitors, combined with the adoption of broad amnesty laws for Russian servicepersons, contributes to a climate of impunity for systematic torture and ill-treatment of POWs.
8. Of 205 Russian POWs interviewed since March 2023, 104 were subjected to torture or ill-treatment by Ukrainian authorities during the initial stages of their captivity, including severe beatings, threats of death and physical violence, and to a lesser extent electric shocks. However, in nearly all cases, torture and ill-treatment stopped when prisoners arrived at official places of internment, where conditions appeared generally compliant with international standards.
9. This report also provides an update on key human rights developments in Ukraine, including in the territory occupied by the Russian Federation, in the period 1 June to 31 August 2024.

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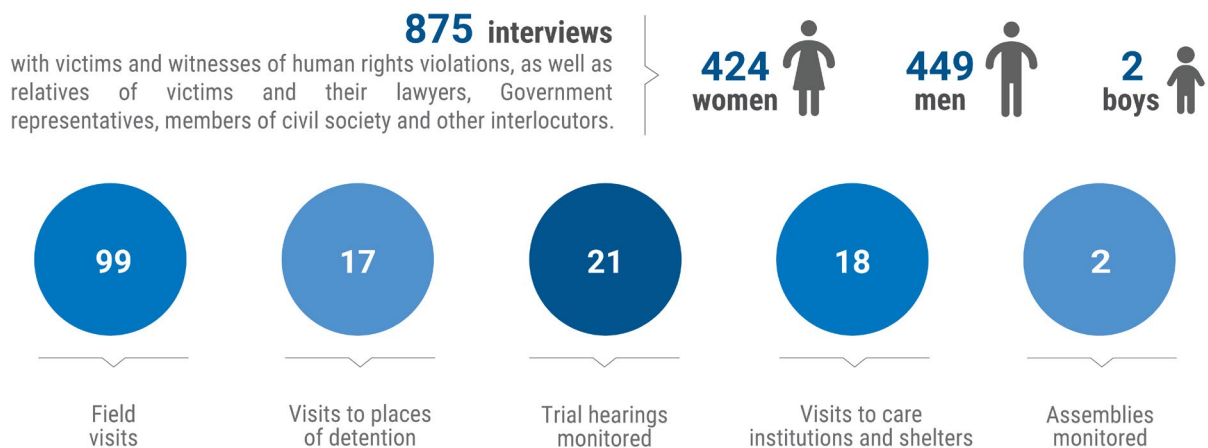
<sup>1</sup> For past periodic reports, see: <https://ukraine.ohchr.org/en>.

10. With 589 civilians killed and 2,685 injured from conflict-related violence between 1 June and 31 August 2024, the number of civilian casualties over this reporting period was 45 per cent higher than in the previous three-month period. July 2024 was the deadliest month for civilians in Ukraine since October 2022.
11. The main reason for the high number of civilian casualties in July was a large-scale coordinated attack with dozens of missiles launched by the Russian Federation against targets across Ukraine on 8 July. Intensified efforts by Russian armed forces to take control over territory in Donetsk region also resulted in high numbers of civilian casualties.
12. Over the reporting period, Russian armed forces continued attacks of a systematic nature on energy infrastructure critical to the civilian population in Ukraine, the latest phase of which resumed on 22 March. Between 1 June and 31 August, Russian armed forces launched at least four major waves of attacks, each involving dozens of missiles and loitering munitions, against energy facilities across Ukraine, adding to the five waves of such attacks that took place in the previous three-month period.
13. In occupied territory of Ukraine, efforts by the Russian occupying authorities to impose Russian citizenship on residents and to seize land and private property, in apparent violation of international humanitarian law, continued, in addition to deportations of civilians. OHCHR also documented recent incidents of arbitrary detention, torture and ill-treatment, as well as continued efforts by Russian occupying authorities to restrict freedom of expression and freedom of religion and belief.
14. The number of new criminal investigations opened in Ukraine into cases on 'collaborationism' declined in the reporting period, following instructions by the Prosecutor-General of Ukraine to ensure compliance with international humanitarian law in the prosecution of such cases. The number of cases in which Ukrainian courts convicted persons for "collaboration activities" in respect of conduct that could, in principle, be lawfully compelled by the occupying Power, continued to stay lower than in 2022 and 2023.

## II. METHODOLOGY

15. This report by OHCHR is based on the work of the United Nations Human Rights Monitoring Mission in Ukraine (HRMMU).<sup>2</sup>
16. Information in this report was gathered during 99 field visits, 17 visits to places of detention and 18 visits to care institutions and shelters, monitoring of 21 trial hearings and 2 assemblies, and 875 interviews with victims and witnesses of human rights violations, as well as their relatives and lawyers, Government officials, members of civil society and other interlocutors.<sup>3</sup> It also draws from court documents, official records, and other relevant material, including from open sources.
17. The findings with respect to the treatment of POWs are primarily based on confidential interviews with prisoners of war conducted between 1 March 2023 and 31 August 2024, using a standard 'open questions' interviewing technique. In making these findings, OHCHR has relied on accounts that were detailed and internally consistent, as well as its own observations, including of the interviewee's physical conditions. The findings are consistent with previously established patterns.
18. Verification of allegations of violations in occupied territory of Ukraine was often complicated or delayed because of multiple challenges. The Russian Federation has not granted OHCHR access for independent monitoring; individuals face difficulty in moving from occupied territory to territory controlled by the Government of Ukraine due to the absence of crossing points; there is frequent need to travel vast distances through the Russian Federation; numerous internal checkpoints exist in occupied territory; and many people are hesitant to share accounts via telephone or electronic messaging services out of concern that conversations may be overheard or intercepted.

### OHCHR ACTIVITIES IN THE REPORTING PERIOD



Creation Date: 18 September 2024 Source: OHCHR HRMMU

19. Findings are included in the report where they meet the "reasonable grounds to believe" standard, where, based on a body of verified information, an ordinary prudent observer would have reasonable grounds to

<sup>2</sup> HRMMU was deployed on 14 March 2014 to monitor and report on the human rights situation throughout Ukraine, with particular attention to the Autonomous Republic of Crimea, eastern and southern regions of Ukraine, and to propose recommendations to the Government and other actors to address human rights concerns. For more information, see A/HRC/27/75, paras. 7-8.

<sup>3</sup> With 449 men, 424 women and 2 boys.



believe that the facts took place as described, and where legal conclusions are drawn, that these facts meet all the elements of a violation.

20. Information in this report is used with the informed consent of all sources as to its use. At all stages, OHCHR strictly adhered to the “do no harm” principle and took all appropriate measures to prevent re-traumatization and protect individuals.
21. Prior to publication, OHCHR shared the draft report with the concerned States for factual comments, as per standard practice. Comments have been incorporated as appropriate.

### III. TREATMENT OF PRISONERS OF WAR

22. In March 2023, OHCHR published a comprehensive report about the treatment of POWs and persons *hors de combat* after 24 February 2022.<sup>4</sup> Since then, OHCHR has interviewed 169 recently released Ukrainian POWs, 5 Ukrainian retained medical personnel, and 205 Russian POWs in Ukrainian captivity (all men). This section summarizes the findings from those interviews and other available information.

#### A. Legal Framework

##### Prohibition of torture and ill-treatment

23. Torture and ill-treatment are unequivocally banned under international humanitarian (IHL) and human rights law (IHRL).<sup>5</sup> No exceptions, derogations or justifications are permitted.<sup>6</sup> International law also requires respect for the life, well-being and dignity of persons, as well as humane treatment of individuals in the hands of the belligerent parties.<sup>7</sup>
24. Responsibility for the treatment of POWs and protected persons lies with the Detaining Power, irrespective of individual responsibility that may exist.<sup>8</sup> States are obliged to take all necessary measures to ensure the rights of POWs, as primarily set out in Geneva Convention III and Additional Protocol I to the Geneva Conventions, are respected. In cases of death or serious injury of a POW, the Detaining Power shall immediately conduct an official enquiry into the incident and prosecute those responsible.<sup>9</sup>
25. Torture and inhuman treatment in context of armed conflict are also grave breaches of the Geneva Conventions,<sup>10</sup> and likewise war crimes under the Rome Statute of the International Criminal Court.<sup>11</sup>

##### Procedural safeguards and minimum standards aimed at prevention of torture and ill-treatment

26. Key procedural safeguards and minimum standards aimed at prevention of torture and ill-treatment include providing POWs access to the outside world, including through communication,<sup>12</sup> regular medical examinations,<sup>13</sup> independent monitoring,<sup>14</sup> the possibility to submit complaints about treatment and conditions,<sup>15</sup> and conduct of effective investigations and holding of perpetrators to account.

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<sup>4</sup> OHCHR, *Treatment of prisoners of war and persons hors the combat in the context of the armed attack by the Russian Federation against Ukraine (24 February 2022 – 23 February 2023)*, March 2023.

<sup>5</sup> See in particular: Geneva Conventions III, arts. 13, 17 and 87; International Covenant on Civil and Political Rights, art. 7; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ('Convention against Torture'), art. 1.

<sup>6</sup> International Covenant on Civil and Political Rights, art. 4; Convention against Torture, art. 2(2).

<sup>7</sup> Geneva Conventions III, art. 13; International Covenant on Civil and Political Rights, arts. 6, 7 and 10, Convention against Torture, art. 16; art. 75 Additional Protocol I.

<sup>8</sup> Geneva Conventions III, art. 12, and IV, art. 29.

<sup>9</sup> Geneva Convention III, art. 121.

<sup>10</sup> Article 130 of the Geneva Convention III; article 85(4)(b) of Additional Protocol I.

<sup>11</sup> Articles 8(2)(a)(ii) and (iii) and 8(2)(c)(i) of the Rome Statute. The Russian Federation is not a party to the Rome Statute. Ukraine ratified the Rome Statute in August 2024 (paras 120-121 below for details) and had earlier accepted the Court's jurisdiction over alleged crimes under the Statute occurring on its territory pursuant to art. 12(3).

<sup>12</sup> Geneva Convention III, section V.

<sup>13</sup> Geneva Convention III, arts. 30-31.

<sup>14</sup> Geneva Convention III, art. 126.

<sup>15</sup> Geneva Convention III, art. 78.

## B. Ukrainian POWs held by the Russian Federation

27. Since March 2023, OHCHR has conducted confidential interviews with 169 Ukrainian POWs (all men),<sup>16</sup> and 5 male retained medical personnel,<sup>17</sup> after their release from captivity and initial medical and psychological assistance was provided by Ukrainian authorities. Most of the interviewees had been held in multiple locations, which enabled OHCHR to record and analyze 708 instances of internment (out of which 274 occurred since March 2023).<sup>18</sup> OHCHR has also interviewed family members, lawyers, state authorities and other relevant interlocutors and reviewed video and photo materials.<sup>19</sup>
28. OHCHR findings show that Russian authorities have subjected Ukrainian POWs to torture, ill-treatment and inhumane conditions in a widespread and systematic manner.<sup>20</sup> Almost all individuals interviewed since March 2023 (169 of 174) when OHCHR issued a dedicated report on treatment of POWs gave consistent and detailed accounts of having been subjected to torture or ill-treatment during their captivity. Out of 165 POWs who remained in internment after 1 March 2023, 132 reported that violations had occurred or continued after March 2023, indicating the continuation of previously established patterns.<sup>21</sup>

### Methods of torture and ill-treatment

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“Violence was regular, every time I left the cell, went to the yard, shower or during inspection. I had to stand with my legs stretched wide, and was beaten and tasered. I was kicked in the groin. They said that they did this so that I cannot have children.”

- Ukrainian POW describing routine treatment in a Russian facility

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29. Ukrainian POWs described being subjected to a wide range of methods of torture or ill-treatment. Recurrent methods included: severe beatings, electric shocks, suffocation, prolonged stress positions, excessive exercise, sleep deprivation, mock executions, threats of severe violence to the individual or their family and humiliation. In many cases, perpetrators used instruments such as tasers, military phones,<sup>22</sup> batons, plastic pipes, wooden hammers, weapons, pliers and knives to commit these acts, and sometimes incited dogs to attack POWs. OHCHR assessed these acts of violence as deliberately inflicting severe pain and suffering upon victims.
30. Those interviewed also frequently reported being subjected to forms of sexual violence during internment. 119 interviewees said that they had suffered acts of sexual violence, including rape, attempted rape, threats of rape and castration, beatings or the administration of electric shocks to genitals, repeated forced nudity and sexualized humiliation.

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<sup>16</sup> Only very few women POWs were exchanged between 1 March 2023 and 31 August 2024. OHCHR could not interview them considering the principle of ‘do no harm’ and respect for rehabilitation needs.

<sup>17</sup> The figures include five interviews with retained medical personnel. While retained by the Detaining Power with a view to assisting prisoners of war, permanent medical personnel shall not be considered as prisoners of war. They should benefit from the same treatment and protection as POWs. See Geneva Convention III, art. 33.

<sup>18</sup> An ‘instance of internment’ refers to each place, both official and unofficial, that an interviewee was held in during their captivity.

<sup>19</sup> The findings build on 203 interviews with Ukrainian POWs (179 men and 24 women) before 1 March 2023.

<sup>20</sup> The UN Committee against Torture “considers that torture is practised systematically when it is apparent that the torture cases reported have not occurred fortuitously in a particular place or at a particular time, but are seen to be habitual, widespread and deliberate in at least a considerable part of the territory of the country in question. [...] Inadequate legislation which in practice allows room for the use of torture may also add to the systematic nature of this practice”, UN General Assembly ‘Report: Addendum, Summary Account of the Results of the Proceedings Concerning the Inquiry on Turkey’ (15 November 1993), A/48/44/Add.1, para. 39.

<sup>21</sup> OHCHR, *Treatment of prisoners of war and persons hors the combat*.

<sup>22</sup> They are used to administer electric shocks.

## Circumstances of torture and ill-treatment

31. Accounts indicated that torture or ill-treatment of Ukrainian POWs by Russian authorities is pervasive during all stages of captivity and interrogation. Interviewees consistently reported that POWs of certain military occupational specialties, such as artillery crews, or from specific military units were subjected to the harshest treatment.<sup>23</sup>
32. *Admission procedures:* 147 interviewees reported being subjected to so-called “welcome beatings” upon arrival at a new facility. OHCHR has identified 38 locations where such violent beatings during admission procedures were reported. Some were subjected to the procedure in up to five places. This often involved prolonged beatings, including “corridors of beatings”<sup>24</sup>, stress positions, use of electric shocks, dog attacks and sexual violence, including forced nudity, of whole groups during the intake process. The extreme brutality of these procedures appeared to be aimed at breaking the spirit of new arrivals to a facility.
33. *Interrogations:* 139 of those interviewed reported being subjected to acts of torture or ill-treatment during questioning by Russian authorities, often facing a series of interrogations in multiple locations.<sup>25</sup> Interrogations were typically aimed at obtaining information or eliciting confessions or testimonies, including about the commission of alleged war crimes. POWs reported that such mistreatment occurred during interrogations conducted by the Federal Security Service (FSB, by Russian acronym), Russian armed forces, Russian Federal Penitentiary Services (FSIN, by Russian acronym), and to a lesser extent the Investigative Committee of the Russian Federation (Investigative Committee), and prosecutors.
34. *Internment routines:* Interviewees provided detailed accounts of regular and repeated torture or ill-treatment of whole groups of POWs in 38 locations, primarily under the authority of FSIN<sup>26</sup> and Russian armed forces.<sup>27</sup> This included excessive physical exercise<sup>28</sup> and prolonged stress positions, such as ‘stretching’,<sup>29</sup> as well as beatings, sexual violence, tasing, or dog attacks during routine inspections in cells and movements in the facility. POWs were frequently made to carry out these routines while naked or were subjected to beatings and tasing to genitals. In addition, many routines centred around humiliation, such as forcing POWs to memorize and sing Russian patriotic songs or shout pro-Russian slogans.
35. The stated purpose of the treatment was typically to “punish” the POWs for “not following the rules”. Interviewees described that guards would make up reasons to punish them, including tasks impossible to achieve or accusations such as ‘walking too slowly’, or referred to the treatment as ‘education’ or ‘rehabilitation’ of Ukrainian POWs. Almost all interviewees stated that they witnessed the torture or ill-treatment of other POWs or saw injuries resulting from such acts.
36. *Conditions:* Interviewees consistently described inhumane conditions of internment during their captivity. OHCHR has identified 69 locations where conditions appeared to be inhumane. In some cases, the extent of inhumane conditions may additionally amount to a form of torture. According to the POWs interviewed, most places lacked sufficient food or food of even basic nutritional value. Many described constantly feeling hungry and exhausted and experienced significant weight loss (some up to one-third or half of their body weight) during captivity. POWs frequently reported poor medical treatment. Many stated they were too afraid to request medical attention since they could face beatings for even asking. POWs also reported being cold due to a lack of heating and warm clothes, suffering a lack of beds, and overcrowding. Combined with poor hygienic conditions, individuals reported often suffering from diarrhoea and tuberculosis, contracting skin

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<sup>23</sup> Details omitted for protection purposes.

<sup>24</sup> “Corridors of beatings” refers to lines of guards or other officials who beat POWs as they are forced to walk or run through the corridors.

<sup>25</sup> Interviewees may also have been questioned immediately after capture which is not included in this statistic.

<sup>26</sup> In late 2023, detention facilities in the occupied parts of Donetsk and Luhansk regions transitioned fully into the Russian penitentiary system.

<sup>27</sup> The incidents attributed to Russian armed forces mostly occurred in transit places.

<sup>28</sup> For example, being required to do 1,000 squats or stand or walk for the whole day.

<sup>29</sup> Standing with arms and legs spread wide, causing severe tension and extreme pain in muscles.



diseases, and having festering wounds that remained untreated. Some interviewees detained for longer periods developed severe and lasting health problems and lost teeth.

### Involvement of superiors and coordination between entities

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“I don’t want to do this, but sorry, I have an order. I have an order to prevent you from relaxing.”

- Ukrainian POW recounting exchange with guard in a pre-trial detention facility (SIZO)

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37. The widespread use of torture and ill-treatment makes it highly unlikely that superiors and the administration of internment facilities were not aware of how Ukrainian POWs were treated.
38. Many of the documented instances of torture or ill-treatment involved different State entities, suggesting significant levels of coordination between these entities and widespread knowledge of the use of torture. POWs provided examples of FSB and FSIN staff colluding in acts of torture during interrogations, as well as FSIN staff carrying out acts of torture upon instructions from the FSB or the Investigative Committee, including to “prepare” individuals for interrogation. In some cases, torture was carried out jointly by local FSIN personnel and FSIN Special Forces units (*‘Spetsnaz’*) from different regions in the Russian Federation who usually rotated among facilities monthly. Some such shifts were particularly brutal and practiced specific forms of torture.
39. In some cases, interviewees overheard orders by supervisors to torture POWs, or experienced incidents of torture happening in front of supervisors or internal video cameras. Other POWs were asked to sign statements or record videos before release indicating that they were treated well, in an apparent attempt to conceal wrongdoing.
40. Another indication that facility administrations knew about the torture and ill-treatment and could have prevented it is that treatment sometimes improved significantly for periods of time. Interviewees said that this improvement appeared to be linked to specific events, particularly visits by high-ranking officials, or simply after an order was given by the facility administration. For example, in one facility in the Russian Federation, an interviewee overheard a conversation of guards discussing an order from the administration to cease torturing POWs in spring 2023. After that, instances of ill-treatment became rare. After pictures of extremely thin and exhausted released Ukrainian POWs were circulated widely in Ukrainian and international media, POWs released in subsequent prisoner exchanges reported that they received sufficient and higher quality food for several weeks in advance of their exchange.

### Places of internment

41. The Russian Federation interns Ukrainian POWs mostly in penitentiary facilities and for extended periods of time, in violation of Geneva Convention III.<sup>30</sup> Based on interviews with Ukrainian POWs, OHCHR has identified 60 unofficial or transit places and geolocated 76 official facilities<sup>31</sup> where Ukrainian POWs were held, of which 45 were located in Russian-occupied areas in Ukraine<sup>32</sup> and 31 in the Russian Federation. The official facilities included pre-trial facilities, penal colonies, places of temporary detention (often police custody), tent camps, and military bases and offices.
42. The patterns of torture and ill-treatment described above occurred in different types of internment facilities across numerous regions. OHCHR documented torture or ill-treatment in 57 official locations of internment located in occupied territory of Ukraine and the Russian Federation. Most incidents related to places under the

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<sup>30</sup> Geneva Convention III, art. 22.

<sup>31</sup> In 14 out of those facilities, Ukrainian POWs were only held for several hours to two days.

<sup>32</sup> This also includes facilities where POWs stayed for short periods, like police stations.

authority of FSIN. Accounts of POWs demonstrated that similar patterns of torture, such as during inspections in cells or admission procedures, occurred in most facilities in multiple regions. In at least 33 official facilities, POWs reported that they were held together with Ukrainian civilians and whom they saw being subjected to similar treatment, albeit to a lesser extent than POWs.<sup>33</sup>

43. Interviewees reported that six facilities, located both in occupied territory of Ukraine and the Russian Federation, provided comparatively better treatment and conditions, involving only occasional instances of torture or ill-treatment. Among them, POWs described two facilities with 'textbook' conditions, including regular access by monitors, which appeared to serve as showcases for compliance with international standards. However, conversely, in one facility located in the occupied territory of Ukraine, where treatment had improved throughout 2023, it deteriorated significantly after Spetsnaz forces from the Russian Federation arrived at the end of the year.

### Frequency and duration

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"There was not a single day without anyone being beaten."

- Ukrainian POW describing the treatment in an official facility in the Russian Federation

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44. Ukrainian POWs described having been subjected to torture and ill-treatment not just once or twice, but on multiple occasions, often on a daily/weekly basis, during periods of internment lasting up to 12 months, and in various facilities. 143 POWs reported torture and ill-treatment in more than one place of internment, some in up to six places. All POWs described repeated acts of torture, exposure to the arbitrary behaviour of guards, as well as inhumane conditions continuing over prolonged periods (months to years),<sup>34</sup> including in cases that occurred in 2024. Some Ukrainian POWs however indicated that the frequency of torture and ill-treatment declined towards the end of their captivity, after a prolonged period of internment in the same facility.

### Deaths due to torture and ill-treatment<sup>35</sup>

45. Between 1 March 2023 and 31 August 2024, OHCHR documented the death of ten Ukrainian POWs and one retained medical personnel (all men) in places of internment, as a result of torture, poor conditions of internment, or inadequate medical attention. These incidents occurred in nine different regions in occupied territory of Ukraine and the Russian Federation. In addition, OHCHR is aware of suicide attempts in places of internment, with one documented case of suicide reportedly because of repeated acts of torture.

### Procedural safeguards, minimum standards and preventive measures

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"If a guy with a baton is standing behind the door, of course you'll reply that everything is fine."

- Ukrainian POW about inspection visit by prosecutors

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46. Procedural safeguards and minimum standards, which play a crucial role in preventing torture and ill-treatment, were frequently not, or ineffectively, implemented. POWs' access to the outside world, particularly through communication, was either denied or severely restricted<sup>36</sup> and delayed. Only a few POWs were able to have phone calls with their families during the period of internment, sometimes because individual guards

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<sup>33</sup> On the treatment of civilian detainees, see paras. 94 et seq. below.

<sup>34</sup> All POWs interviewed spent at least 12 months in captivity.

<sup>35</sup> See paras. 100-101 below for cases of executions of POWs outside of places of internment documented by OHCHR.

<sup>36</sup> Only 21 POWs interviewed were allowed to provide information to their families on their whereabouts.

or investigators let them use their private phones. While medical examinations were sometimes conducted upon arrival at a new facility, they were generally not aimed at addressing or recording signs of torture or ill-treatment. Some interviewees even reported that doctors participated in mistreatment or ignored it when happening in front of them.

47. Since the start of the full-scale invasion of Ukraine, the Russian Federation has denied OHCHR access to Ukrainian POWs held under its control. Most interviewees (134 POWs) said that they had not been visited by independent monitors during captivity. In the few cases when visits took place, POWs were mostly unable to hold confidential interviews with the monitors. In one facility in the Russian Federation, several interviewees indicated that the administration hid a large group of POWs while affording the remaining prisoners better treatment before a visit by independent monitors.
48. Prosecutors from the Russian Federation visited facilities regularly. However, 59 interviewees stated that POWs did not dare make any complaints because of warnings received from guards, amid an overall climate of fear. They also pointed out that prosecutors could observe the poor conditions in the facilities, but that they did not meaningfully engage with the POWs. The POWs also said that they did not notice any changes in treatment or conditions after such visits.

## Accountability

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“We do not consider you a human being. We will make you a vegetable so that you do not serve anymore.”

– Ukrainian POW recalling typical comments made by guards during daily inspections in cells

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49. While article 21 of the Constitution of the Russian Federation prohibits torture, violence or other cruel or degrading treatment or punishment, torture has not yet been criminalized as an independent offence in the Criminal Code.<sup>37</sup>
50. In June 2023, the Russian Parliament adopted a law that exempts current servicepersons and persons who voluntarily enlisted or were conscripted in the Russian armed forces from criminal liability once they receive a State decoration or complete their military service because of age, injury or the end of martial law or mobilisation. Additionally, criminal investigations against such servicepersons may be suspended upon command request.<sup>38</sup> In March 2024, the Russian Federation amended its Criminal Code further expanding exemptions from criminal accountability for these categories of persons.<sup>39</sup>
51. Russian Government officials, other public figures, and State-owned media regularly use dehumanizing language with respect to Ukrainian POWs,<sup>40</sup> contributing to an atmosphere where the use of torture and ill-treatment has become normalized and more readily acceptable. Ukrainian POWs have reported that the

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<sup>37</sup> Liability for acts of torture is incurred under several articles of the Criminal Code of the Russian Federation, including 117 (cruel treatment), 286 (abuse of power), 302 (coercion to testify) and 356 (application of prohibited means and methods of warfare).

<sup>38</sup> Law No. 270-FZ “On peculiarities of criminal liability of individuals participating in the special military operation”, for details, see OHCHR, *Report on the Human Rights Situation in Ukraine, 1 February to 31 July 2023*, September 2023, paras. 128-129.

<sup>39</sup> Federal Law 64-FZ “On Amending the Criminal Code of the Russian Federation and the Criminal Procedure Code of the Russian Federation”. For details, see OHCHR, *Report on the Human Rights Situation in Ukraine, 1 March to 31 May 2024*, July 2024, para. 81.

<sup>40</sup> Such public discourse often portrays Ukrainians as other than human and emphasizes notions of “de-Nazifying” Ukraine, see for example: *The Human Rights Situation in Ukraine, Report by the Ministry of Foreign Affairs of the Russian Federation, Moscow 2024*, at [https://mid.ru/en/foreign\\_policy/humanitarian\\_cooperation/1953458/](https://mid.ru/en/foreign_policy/humanitarian_cooperation/1953458/) (last accessed 15 August 2024).

people who tortured and ill-treated them frequently used dehumanizing language, such as calling them “Nazis”, “fascists” or similar terms.

52. Furthermore, some Russian public figures have explicitly called for treatment of Ukrainian POWs that is manifestly unlawful under international law. For example, in May 2024, the commander of the Russian paramilitary group “Rusich,” which is linked to Russian armed forces and security entities, gave an interview during which he admitted to having committed, and called for, execution of Ukrainian POWs.<sup>41</sup> On 16 July 2024, the Deputy Head of the Security Council of the Russian Federation echoed calls to execute Ukrainian servicepersons<sup>42</sup> on his social media channel with over 1.3 million subscribers.<sup>43</sup>
53. OHCHR is not aware of any prosecutions or convictions against alleged perpetrators of torture or ill-treatment involving Ukrainian POWs by the Russian Federation.<sup>44</sup>

## C. Russian POWs held by Ukraine

54. Between 1 March 2023 and 31 August 2024, OHCHR continued to have regular and unimpeded access to Russian POWs in official places of internment in territory controlled by the Government of Ukraine. This included pre-trial detention facilities (SIZOs), where POWs are held temporarily, and dedicated internment camps.
55. Since March 2023, OHCHR has conducted confidential interviews with 205 Russian POWs (all men).<sup>45</sup> Out of those, 194 Russian POWs were captured after 1 March 2023. As almost all interviewees were held in multiple locations, OHCHR was able to record over 740 separate instances of internment. The findings in this section also rely on on-site observations during visits to POW internment camps and SIZOs.
56. Of the 205 Russian POWs interviewed since March 2023, 104 provided consistent and detailed accounts of torture or other forms of ill-treatment, indicating a persistent pattern. With a few exceptions, such mistreatment occurred during the initial stage of internment.

### Methods of torture and ill-treatment

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“Six to eight men took turns kicking and beating me, using hammers, batons and metal pipes. It lasted 3-4 hours. One of the men said that they did it to make us [POWs] talk in the coming interrogations.”

– A Russian POW on torture in a garage

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57. The main methods of torture and ill-treatment involved severe beatings, including targeting knees and joints, threats of death or physical violence, and to a lesser extent electric shocks. Perpetrators used a variety of objects, including rubber batons, aluminium or wooden bats/mallets, tactical gloves, tasers, military phones or other electric devices, such as car batteries. In addition, ten interviewees reported being subjected to sexual violence, including inflicting violence to genitals and threats of rape. OHCHR assessed these acts of violence as deliberately inflicting severe pain and suffering upon victims.

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<sup>41</sup> At least five similar posts of the same group from October 2022 to February 2024 are available, on file with OHCHR; see also OHCHR, *Report on the Human Rights Situation in Ukraine (1 March 2024 to 31 May 2024)*, para. 63.

<sup>42</sup> IHL prohibits ordering that there shall be no survivors, threatening an adversary therewith or conducting hostilities on this basis, Additional Protocol I to the Geneva Conventions, art. 40, see also Geneva Convention III, art. 121.

<sup>43</sup> Available at [https://t.me/medvedev\\_telegram/517](https://t.me/medvedev_telegram/517) (last accessed on 23 July 2024).

<sup>44</sup> OHCHR requested information from the authorities of the Russian Federation through Note Verbale of 24 July 2024 about allegations, investigations and prosecutions for torture and ill-treatment of POWs but has not received a response.

<sup>45</sup> The findings build on 229 interviews with Russian POWs (228 men and 1 woman) before 1 March 2023. OHCHR has not come across women Russian POWs in its visits to places of internment since March 2023.



## Places of internment

58. The vast majority of incidents of torture or ill-treatment of Russian POWs (reported by 87 interviewees) occurred in unofficial or transit locations including garages, basements or private houses. OHCHR identified several such places. They were typically used by frontline units of the Ukrainian armed forces<sup>46</sup> or by security forces and were located in Donetsk, Kharkiv, Kherson, Kyiv, Luhansk and Zaporizhzhia regions. Russian POWs were held in these places after evacuation from the battlefield and before entering official facilities.
59. For example, a basement in Pokrovsk, and a garage in the territory of the military headquarters in Kramatorsk, both located in Donetsk region, were used for internment of POWs from March to October 2023. Of the 33 POWs who reported being held there, more than half described being subjected to severe beatings and/or electric shocks.
60. Once officially interned, Russian POWs were held in at least 15 official facilities under the authority of the State Penitentiary Service of Ukraine (Ministry of Justice of Ukraine). In the SIZOs, which OHCHR visited regularly, Russian POWs were held in special wards separate from civilian detainees.<sup>47</sup> Conditions in SIZOs and POW camps<sup>48</sup> were generally in compliance with IHL in terms of accommodation, food, hygiene, medical treatment and contact with the outside world.
61. The Ukrainian authorities detain Russian POWs in penitentiary facilities for periods of up to a few months pending their transfer to an internment camp or in preparation for repatriation, raising concerns under the Geneva Convention.<sup>49</sup>

## Circumstances of torture and ill-treatment

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“When the balaclava that covered my face was soaked with blood, they just put duct tape to prevent the blood from dripping.”

– Russian POW on acts of torture during his transfer to Kharkiv

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62. Cases of torture or ill-treatment of Russian POWs mainly occurred in two contexts: treatment by guards or interrogations in unofficial or transit places during the initial stages of captivity (reported by 87 interviewees); and during transfers between places of internment (reported by 45 interviewees).<sup>50</sup>
63. During interrogations aimed at obtaining information from POWs,<sup>51</sup> interrogators – whom some interviewees were able to identify as members of the Ukrainian armed forces and the Security Service of Ukraine (SBU) – beat POWs, pointed guns at them or discharged them near their heads, and in some cases, used electric devices to administer electric shocks. In addition, interviewees described beatings by guards or men at checkpoints while they were being transferred between transit places or on the way to official places of internment, in particular, to Kharkiv SIZO.
64. In official facilities, one Russian POW said that he had been threatened during interrogation. Several interviewees spoke about verbal abuse in SIZOs or camps, while nine reported beatings during admission to those facilities, including penal colonies.

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<sup>46</sup> These units may generally fall under the authority of the Ministry of Defence or the Security Service of Ukraine.

<sup>47</sup> Arts. 21-22 of Geneva Convention III. Subject to rare exceptions, POWs may not be held in close confinement or interned in penitentiaries.

<sup>48</sup> During the reporting period, OHCHR visited camps I, II and III, located in Lviv, Vinnytsia and Dnipro regions.

<sup>49</sup> “Except in particular cases which are justified by the interest of the prisoners themselves, they shall not be interned in penitentiaries.” Geneva Convention III, art. 22.

<sup>50</sup> Some of the individuals faced torture or ill-treatment in both contexts and were counted separately for each statistic.

<sup>51</sup> Some POWs described that they were asked to provide personal data during interrogations, including social media and bank accounts, to extort money or coerce family members into some actions.

## Frequency and duration

65. Instances of torture and ill-treatment largely happened during the initial stages of captivity, where Russian POWs were held in transit places for several days.<sup>52</sup> Thirty-two interviewees provided accounts of torture or ill-treatment in more than one transit place. With rare exceptions, such mistreatment stopped when POWs arrived at official internment facilities.

## Procedural safeguards, minimum standards and preventive measures

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“The medic conducted a check-up, noted tracings of beatings and told me to write down that these were injuries received on the battlefield.”

– Russian POW on his medical screening upon arrival at a SIZO

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66. Findings show that procedural safeguards and minimum standards were generally adhered to in official places of internment, including possibilities for POWs to contact their families through letters and short phone calls,<sup>53</sup> access to lawyers in criminal cases against POWs and regular visits by international and national monitors. Ukrainian authorities continued to improve conditions and safeguards in places of internment, such as access to phone calls.
67. Most POWs interviewed said that they had undergone a medical examination when they arrived to a SIZO. However, 15 interviewees reported that medical personnel had ignored reports or visible signs of torture or ill-treatment. Some medical personnel even suggested that POWs indicate in documents that the injuries were sustained during battle. None of the interviewees who presented to the medical examination with visible signs of mistreatment were aware of any steps taken by authorities to follow-up on these concerns.

## Accountability

68. According to article 28 of the Constitution of Ukraine, nobody shall be subjected to torture, cruel, inhuman or degrading treatment or punishment that violates his or her dignity. The crime of torture is explicitly criminalized under article 127 of the Criminal Code of Ukraine. Article 434 of the Criminal Code explicitly establishes criminal liability for “ill-treatment of prisoners of war.”<sup>54</sup>
69. The Prosecutor General’s Office of Ukraine reported that as of 16 August 2024, five pre-trial investigations were carried out into possible ill-treatment, as well as wilful killings of Russian prisoners of war, under articles 434 and 438 (“violations of rules and customs of war”) of the Criminal Code of Ukraine. However, no person received a notification of suspicion in relation to these investigations.

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<sup>52</sup> In two instances, Russian POWs were held for three and five months respectively in unofficial places of internment but did not report any ill-treatment in these locations.

<sup>53</sup> Some POWs however faced delays in contacting their families through telephones available only in camps.

<sup>54</sup> Art. 434 of the Criminal Code of Ukraine criminalizes ill-treatment of prisoners of war, which has occurred repeatedly, involves particular cruelty, or is directed against the sick and wounded, as well as negligent performance of duties towards the sick and wounded by persons entrusted with their treatment and care, in the absence of signs of a more serious offence. It is punishable by imprisonment for up to 3 years.

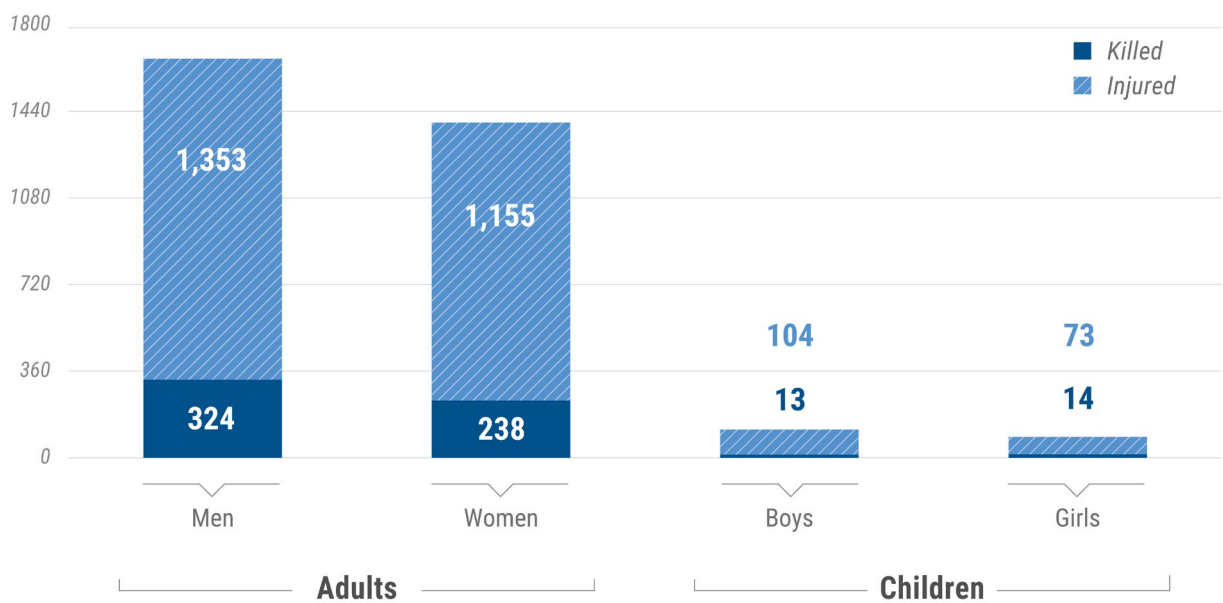
## IV. IMPACT OF CONDUCT OF HOSTILITIES ON CIVILIANS

### A. Overall civilian harm

70. The number of civilian casualties increased significantly in the reporting period. At least 589 civilians were killed (324 men, 238 women, 14 girls and 13 boys) and 2,685 injured (1,353 men, 1,155 women, 104 boys and 73 girls) between 1 June and 31 August 2024 as a result of conflict-related violence, a 45 per cent increase from the previous three-month period.<sup>55</sup> July 2024 was the deadliest month for civilians since October 2022, mainly due to a large-scale attack by Russian armed forces across Ukraine on 8 July (see below).

#### CIVILIAN CASUALTIES, BY AGE AND SEX

From 1 June to 31 August 2024



Creation Date: 18 September 2024 Source: OHCHR HRMMU

71. Several previously identified patterns continued in the reporting period. For example, most civilian casualties (98 per cent) were caused by the use of explosive weapons with wide area effects in populated areas.<sup>56</sup> As in previous reporting periods, the majority of casualties (89 per cent; 518 killed and 2,411 injured) occurred in territory controlled by the Government of Ukraine. 11 per cent (71 killed and 274 injured) occurred in territory of Ukraine occupied by the Russian Federation. Older people, particularly women, were disproportionately affected.<sup>57</sup> Of 2,092 civilian casualties near the frontline (on the basis of records for which age is known),<sup>58</sup> 39 per cent were older than 60 years, although this demographic constitutes 25 per cent of the general population.

<sup>55</sup> The actual figures are likely higher as some reports of civilian casualties are still pending corroboration. OHCHR lack of access to occupied territory and limited access to areas close to the frontline render full verification difficult in some instances. For OHCHR monthly updates on the protection of civilians in Ukraine and the total number of civilian casualties since 2014 and 24 February 2022 respectively, see <https://ukraine.un.org/en/resources/publications>.

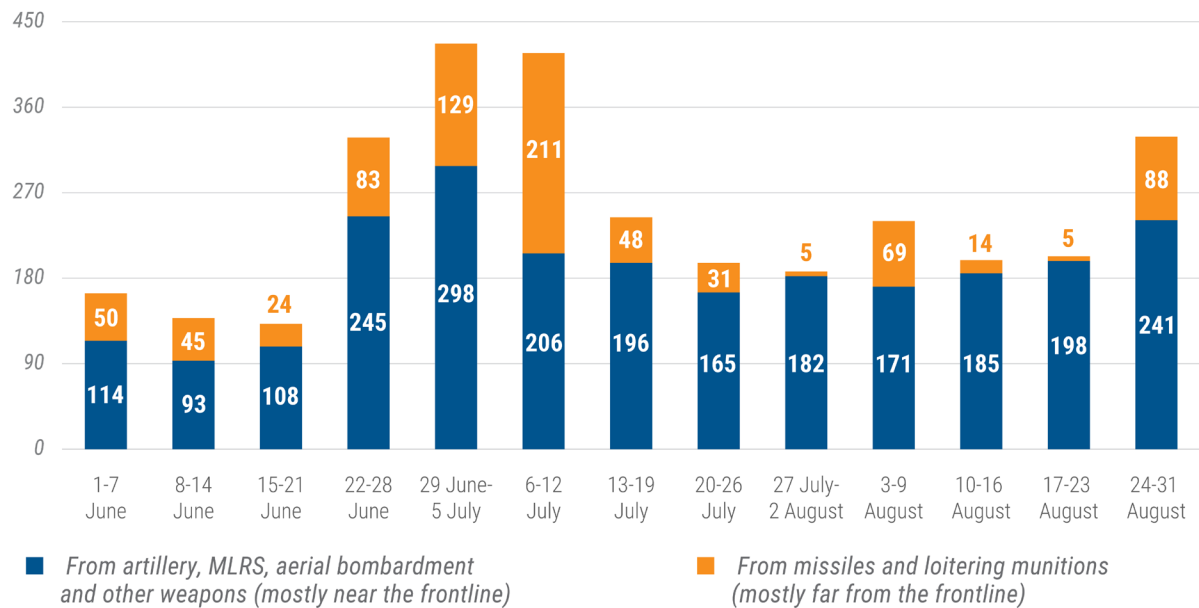
<sup>56</sup> About 2 per cent of the casualties resulted from incidents involving mines and explosive remnants of war.

<sup>57</sup> OHCHR, *Report on the human rights situation in Ukraine, 1 March 2024 to 31 May 2024*, 3 July 2024, para. 27.

<sup>58</sup> Casualties among older people near the frontline were mainly caused by artillery, multiple launch rocket systems, drone attacks and aerial bombardments.

## CIVILIAN CASUALTIES, BY WEEK AND BY TYPE OF WEAPONS

From 1 June to 31 August 2024



Creation Date: 18 September 2024 Source: OHCHR HRMMU

72. While hostilities continued along the entire frontline, Russian armed forces gradually shifted their offensive military operations from northern Kharkiv region<sup>59</sup> to Donetsk region, leading to an overall intensification of fighting in this region with a corresponding increase in civilian casualties. At least 200 civilians were killed and 671 injured in the part of Donetsk region controlled by the Government of Ukraine in the reporting period, a 129 per cent increase from the previous three-month period. One of the most significant incidents occurred on 9 August when a missile hit a supermarket in Kostiantynivka, Donetsk region, killing 14 civilians (6 men, 5 women and 3 girls) and injuring 44 (24 women and 20 men). Continued advances by Russian armed forces led Ukrainian authorities to start mandatory evacuation of families with children from Pokrovsk city and surroundings in Donetsk region on 19 August.
73. Although there was no corresponding increase in casualties in the occupied parts of Donetsk region, OHCHR documented several incidents resulting in high civilian casualties in other parts of occupied territory of Ukraine. For example, on 7 June, an attack struck a residential area in occupied Sadove, Kherson region, killing at least 14 civilians (7 men, 6 women and 1 girl) and injuring at least 4 women. On 23 June, the explosion of a missile carrying cluster munitions killed four people and injured scores more in the coastal area of occupied Sevastopol on the Crimean peninsula.<sup>60</sup>
74. Casualties verified by OHCHR included 30 workers of healthcare institutions, 6 humanitarian workers, and 24 emergency service personnel. At least three media workers were killed and eight injured in the reporting period. One media worker was killed and five injured when a missile struck a hotel where they were staying in Government-controlled Kramatorsk on 24 August. Two media workers were killed and three injured in territory occupied by the Russian Federation and in the Russian Federation. Hostilities also damaged or destroyed at least 138 educational facilities and 60 medical facilities in territory controlled by the Government

<sup>59</sup> For more information about the ground offensive by Russian armed forces into Kharkiv region, see OHCHR, *Report on the human rights situation in Ukraine, 1 March 2024 to 31 May 2024*, 3 July 2024, paras. 21-25.

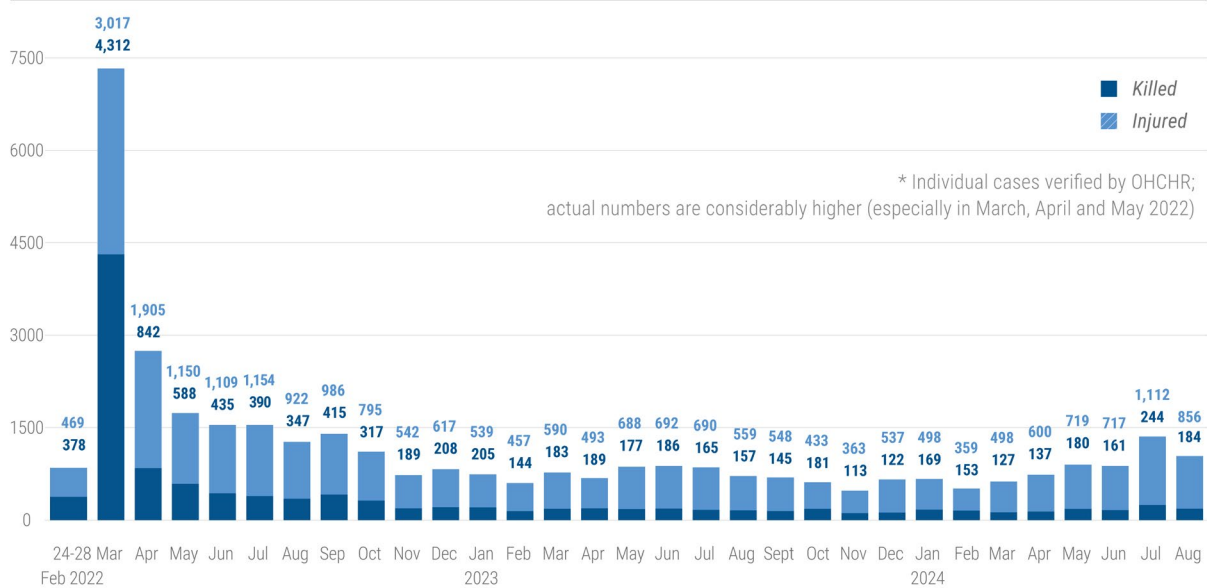
<sup>60</sup> The 23 June incident in Sevastopol mirrored a similar incident in Odesa city on 29 April when submunitions from a missile exploded on the waterfront, killing 8 civilians and injuring 30.



of Ukraine, and 18 educational facilities and 6 medical facilities in occupied territory of Ukraine during the reporting period. In several incidents in the reporting period, OHCHR documented that attacks by camera-equipped unmanned aerial vehicles struck clearly-marked humanitarian vehicles or facilities in territory controlled by the Government of Ukraine, raising concerns that they were deliberately targeted.

75. Since 24 February 2022, conflict-related violence killed at least 11,743 civilians (5,692 men, 3,534 women, 338 boys, 275 girls; as well 28 children and 1,876 civilians whose sex is unknown) and injured 24,614 (9,000 men, 6,521 women, 769 boys, 553 girls; as well 285 children and 7,486 civilians whose sex is unknown). In that period, OHCHR has also documented that hostilities damaged or destroyed 1,358 educational facilities and 580 medical facilities.

CIVILIAN CASUALTIES SINCE 24 FEBRUARY 2022,\* BY MONTH



Creation Date: 18 September 2024 Source: OHCHR HRMMU

### Civilian harm in the Russian Federation, particularly in Kursk region

76. On 6 August, regular units of the Ukrainian armed forces launched a cross-border incursion into Kursk region, in the western part of the Russian Federation, bordering Sumy region in Ukraine. Russian authorities reported that from 6 August to 24 August, at least 12 civilians were killed and 201 injured from attacks launched by Ukrainian armed forces. OHCHR has established the names of four civilians (three men and one woman) who were killed and three civilians (one man, one woman, and one boy) injured in different locations of Kursk region. The circumstances of the incidents and the attribution remain subject to verification. Ukrainian and Russian authorities reported that thousands of people had been evacuated on both sides of the border due to the recent intensification of hostilities in the area.
77. On 14 August, OHCHR requested, through a note verbale, Russian authorities to facilitate access to the areas of the Russian Federation affected by the conduct of hostilities since February 2022 to conduct human rights monitoring and assessment of the situation of civilians affected by the conflict. As of 31 August, access had not been granted.

78. In general, Russian authorities reported that 82 civilians were killed and 750 injured in Belgorod, Kursk, Lipetsk, Rostov, Bryansk, Saratov, Voronezh regions and Krasnodarskiy krai.<sup>61</sup>

## B. Attacks on Ukrainian energy infrastructure

79. In the reporting period, Russian armed forces continued attacks of a systematic nature on energy infrastructure critical to the civilian population in Ukraine, the latest phase of which resumed on 22 March.<sup>62</sup> Between 1 June and 31 August, Russian armed forces launched four major waves of attacks, each involving dozens of missiles and loitering munitions, against energy facilities across Ukraine, adding to the five waves that took place in the previous three-month period.<sup>63</sup> An attack on 26 August included more than 100 missiles and 100 drones in what was one of the largest aerial attacks to date.
80. The attacks were launched in a synchronized manner, from land, air, and sea, using high precision weapons against specific electricity infrastructure, requiring a high level of military coordination. Attacks since March 2024 have struck electricity facilities in 20 regions in Ukraine, including Kyiv. Many of the facilities were struck repeatedly, some until they were completely destroyed.
81. While attacks on energy infrastructure during the winter of 2022-2023 primarily targeted power transmission systems, including electrical substations, attacks in 2024 have increasingly targeted power generation facilities. Since 22 March, OHCHR has recorded 36 attacks against 20 power generation facilities in territory controlled by the Government of Ukraine. Of these, 10 occurred during the reporting period.
82. The latest campaign of attacks has significantly reduced the power generation capacity of Ukraine. Since March 2024, around 9 gigawatts of energy-generating capacity have been destroyed due to the attacks, equal to around half of the energy required in the winter of 2023-2024 during peak consumption periods. The power deficit forced the Ukrainian authorities to implement rolling blackouts across the country in the reporting period, particularly during a heat wave in early July, with some regions experiencing power outages for more than 12 hours per day.
83. The extensive attacks on energy infrastructure and the long time needed to replace equipment mean that there will likely be a significant power deficit in Ukraine during the upcoming winter. Officials anticipate deficits during peak consumption periods this winter, which risk depriving people of essential services, including heating, and broadly impacting the economic, social, and cultural rights of people in Ukraine. This would particularly affect groups in a situation of vulnerability such as older persons, persons with disabilities, children and people living in poverty.

## C. Large-scale Russian attack on 8 July

84. A significant reason for the high number of civilian casualties in the reporting period was a large-scale coordinated attack by the Russian Federation using high-precision missiles against targets in Kyiv city, Dnipro city, Kryvyi Rih (Dnipropetrovsk region) and Kyiv region on 8 July.
85. The attack killed at least 43 civilians (22 women, 16 men, 3 girls and 2 boys), and injured 147 (77 women, 63 men, 4 boys and 3 girls). Most of the civilian casualties happened when a missile or debris from a missile struck a residential building in the Shevchenkivskiy district in Kyiv city (13 killed, 20 injured), a business center

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<sup>61</sup> Verification of reports of civilian casualties in the Russian Federation remains a challenge due to lack of access and limited publicly available information. When reports of civilian casualties have been verified according to OHCHR methodology, they have been included in the overall statistics.

<sup>62</sup> For more information, see HRMMU, *Attacks on Ukraine's Energy Infrastructure: Harm to the Civilian Population*, September 2024, at <https://ukraine.ohchr.org/en/Attacks-on-Ukraines-Energy-Infrastructure-Harm-to-the-Civilian-Population>.

<sup>63</sup> Large-scale attacks against energy infrastructure took place on 22 and 29 March, 11 and 27 April, 8 May, 1, 20 and 22 June, and 26 August.

in the Solomianskyi district in Kyiv (6 killed, 10 injured), a medical center in the Dniprovskyi district in Kyiv (9 killed, 5 injured), and a mechanical repair plant in Kryvyi Rih (10 killed, 46 injured).

86. The attack also destroyed or damaged four healthcare facilities. In Kyiv city, a missile struck a hospital complex, killing one woman and one man, and injuring at least 18 civilians, destroying the building of the toxicology department of the Okhmatdyt Children's Hospital and significantly damaging the Center for Children's Cardiology and Cardiac Surgery of Ukraine. Based on an immediate in-depth assessment of the impact site, witness accounts, and videos, including footage of the missile hitting the hospital, OHCHR concluded that the strike was likely due to a direct hit from a missile, and not from falling debris resulting from an air defense interception.<sup>64</sup> The two other healthcare facilities that were damaged during the 8 July attack were a medical center with two clinics in Kyiv, and a private medical clinic in Kryvyi Rih. These attacks killed five employees of medical institutions and injured four.

#### D. Attacks on Ukrainian railway infrastructure

87. OHCHR also documented that several attacks appearing to target railway infrastructure in territory controlled by the Government of Ukraine in the reporting period resulted in significant civilian casualties. For example, on 24 June, an attack killed at least 5 civilians and injured 39 near a railway depot in Pokrovsk, Donetsk region. On 29 June, an attack killed 8 civilians and injured 37 near a railway line in Vilniansk, Zaporizhzhia region. On 14 July, an attack killed 2 civilians and injured 25 near the train station in Budy, Kharkiv region.
88. The timing (during daytime) and location (in populated areas) of the attacks contributed to the high number of civilian casualties. In at least two of the attacks, several of the civilian casualties resulted from a second or third strike on the same location 15-30 minutes after the initial attack. Two of the people killed and eight of the injured in these cases were first responders. OHCHR has documented that this mode of sequential attack (sometimes referred to as "double-tap" attacks) has also previously resulted in high civilian casualties, particularly among first responders.<sup>65</sup>

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<sup>64</sup> Statement of the High Commissioner for Human Rights, *Ukraine: Türk deplores wave of strikes killing dozens of civilians, including women and children at hospitals*, 8 July 2024, at <https://www.ohchr.org/en/press-releases/2024/07/ukraine-turk-deplores-wave-strikes-killing-dozens-civilians-including-women>.

<sup>65</sup> OHCHR, *Report on the human rights situation in Ukraine, 1 March 2024 to 31 May 2024*, 3 July 2024.

## V. HUMAN RIGHTS IN TERRITORY OF UKRAINE OCCUPIED BY THE RUSSIAN FEDERATION

89. OHCHR has previously documented that the Russian Federation has violated its obligations as an occupying Power, committed widespread violations of residents' rights to life, physical and mental integrity, liberty and security, and unlawfully restricted fundamental freedoms such as freedom of expression, assembly, religion and belief in territory of Ukraine under its occupation.<sup>66</sup>
90. In June 2024, the European Court of Human Rights held, in an inter-State case brought by the Government of Ukraine, that the Russian Federation had violated a series of provisions of the European Convention on Human Rights during the occupation of Crimea.<sup>67</sup> Many of these violations have been documented in past OHCHR reports, and continue to be documented.<sup>68</sup>

### A. Violations of the obligations of an occupying Power

91. Interviews with people who recently left occupied territory showed that pressure to obtain Russian citizenship continued in territory occupied by the Russian Federation. In one illustrative case, a man in his sixties said that, while he and his wife had initially not wanted to apply for Russian citizenship when Russian authorities occupied their village in Zaporizhzhia region in March 2022, they eventually felt that they had no other practical option but to do so. Representatives of the occupying Power, often armed men in uniform, had come to their house several times, pressuring them to cooperate with the authorities and asking them about their citizenship. On one occasion, they confiscated the couple's Ukrainian identification documents. The man also explained that without a Russian passport, they could not, for example, access medical assistance, sign a contract with an internet provider, pay for electricity, or obtain car insurance. Another married couple who left occupied parts of Kherson region in July with their son and elderly mother said that pressure to obtain Russian passport had increased in 2024, citing increased frequency of random document checks on the street and intimidation from Russian armed forces.
92. OHCHR also documented that deportations from occupied territory to the Russian Federation and to third countries continued.<sup>69</sup> During the reporting period, six Crimean Tatars, who were previously sentenced in Crimea, were deported to serve their sentences in penal colonies in the Russian Federation. In another case, an educational worker from Zaporizhzhia region explained that the occupying authorities deported him and his wife to Georgia in April 2024. Although a deportation decision issued by the Federal Migration Service of the Russian Federation stated that they were being expelled because they had illegally entered the territory of the Russian Federation – neither of them had Russian citizenship – one representative of the occupying authorities explained that the man was being expelled because he had refused to resume his position as an educational worker, which he had left when Russian armed forces occupied his village in March 2022.

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<sup>66</sup> See OHCHR, *Human rights situation during the Russian occupation of territory of Ukraine and its aftermath*, March 2024, and OHCHR, *Ten Years of Occupation by the Russian Federation: Human Rights in the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine*, March 2024.

<sup>67</sup> Among others, the Court found that the Russian Federation had violated the European Convention of Human Rights with the wholesale application of Russian law in Crimea, the automatic imposition of Russian citizenship on Crimean residents, the transfer of Crimean prisoners to penal facilities located in the Russian Federation, and that there had been administrative practices of, among other violations, enforced disappearances, arbitrary arrest and ill-treatment/torture, incarceration of prisoners in inadequate conditions of detention, harassment and intimidation of religious leaders, suppression of media and restrictions on freedom of assembly. European Court of Human Rights, *Ukraine v. Russia (re Crimea)*, Applications No. 20958/14 and 38334/18, Judgment, 26 June 2024.

<sup>68</sup> For past OHCHR reports on Ukraine, see <https://ukraine.ohchr.org/en>.

<sup>69</sup> Geneva Convention IV, art. 49.



93. Since the adoption of new laws by the Russian-appointed “people’s assemblies” in occupied Donetsk, Luhansk, and Kherson regions in March 2024, which set out a process for confiscating “unattended” residential property, the local authorities started publishing lists of hundreds of allegedly unattended properties. The publication of these lists starts a 30-day period, during which the owners are expected to physically show up at their local municipalities and present a list of documents, including a Russian passport, to claim ownership of their house or apartment, which otherwise become the property of the municipality. The practical difficulties in returning to occupied territory, the risk of detention, and the requirement of having a Russian passport mean that many people who left the occupied territory are now at risk of losing their property.
94. In the reporting period, the occupying authorities in Crimea increased the pace of distributing expropriated land plots to servicemen participating in the “special military operation” against Ukraine. While in May 2024, the occupying authorities announced that they had distributed 1,040 land plots to Russian veterans, that number had reached 2,500 as of 1 August, and with plans announced for distribution of a further 1,000 land plots.<sup>70</sup> On 26 August, the occupying authorities in Crimea expanded existing provisions to allow anyone who had signed a contract with the Russian armed forces in Crimea the right to obtain land plots for free.<sup>71</sup> Previously, the law had required residence registration in Crimea.

## B. Rights to life, physical and mental integrity, liberty and security

### Arbitrary detention, torture and enforced disappearances of civilians

95. During the reporting period, OHCHR continued to document cases of arbitrary detention, torture, including sexual violence, and enforced disappearance of civilians in the occupied territory. Several recent cases documented by OHCHR showed that arbitrary detentions and torture continued. OHCHR also documented cases of arbitrary detention when the occupying authorities detained people for what appeared to be legitimate exercise of their freedom of expression or religion and belief. In several of these cases, those affected shared information with OHCHR on a confidential basis, fearing that publication of details about their cases could result in repercussions.
96. Many of the recently documented cases occurred in 2022 and 2023 and confirmed previously-documented patterns.<sup>72</sup> For example, two women civilian detainees released in May 2024 described multiple due process violations after Russian authorities apprehended them in June and December 2022, with guards in a detention facility subjecting them to punches and beatings with batons and tasers respectively as punishment for alleged disciplinary violations, and not receiving adequate medical assistance during their detention. In another case, the occupying authorities in Kherson repeatedly subjected a detained man to beatings, suffocation, waterboarding, electric shocks, including to genitals, and threats of castration after his apprehension in September 2022. They also raped the man anally with a metal object and simultaneously administered electric shocks to his anus and genitals.
97. OHCHR has documented the death of 27 civilians (21 men and 6 women) in detention from torture, absence of medical assistance or inhuman conditions of detention, both in occupied territory and the territory of the Russian Federation, since 24 February 2022.

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<sup>70</sup> Krym.Realii, “In the Leninsky district of Crimea, Russian authorities have formed a thousand land plots for participants in the war against Ukraine” (in Russian), 31 July 2024, at <https://ru.krymr.com/a/news-krym-leninskiy-rayon-tysyacha-zemelnykh-uchastkov-uchastnikam-voiny-ukrain%D0%B0/33057784.html> (last accessed on 15 August 2024).

<sup>71</sup> Additional details can be found (in Russian) at <https://mzem.rk.gov.ru/articles/1d04d264-b84e-4fe6-8e94-6b7786bfddcd> (last accessed on 28 August 2024).

<sup>72</sup> See for example OHCHR, *Detention of civilians in the context of the armed attack by the Russian Federation against Ukraine, 24 February 2022 to 23 May 2023*, June 2023.

## Killings of civilians

98. During the reporting period, OHCHR verified the summary execution of three male civilians in two incidents that occurred in March 2022 in Chernihiv region. These cases are also consistent with previously documented patterns.<sup>73</sup> In one case, Russian armed forces detained three brothers and subjected them to torture for several days before they shot them in the head and threw them into a pit which was buried. One of them survived and managed to extract himself from the pit after it was covered.
99. In total, since 24 February 2022, OHCHR has verified the summary execution of 168 civilians (140 men, 23 women, 3 boys and 2 girls) in areas controlled by Russian armed forces, including in places of detention.

## Execution of Ukrainian POWs

100. During the reporting period, OHCHR verified the execution of 14 Ukrainian servicemen *hors de combat* in seven incidents that took place during previous reporting periods. In one case, Russian armed forces captured a group of Ukrainian servicemen near the village of Zaitseve, Donetsk region, in August 2022. During evacuation, a Russian serviceman executed one of the captured servicemen, who appeared simply not to have been moving fast enough. Since 24 February 2022, OHCHR has documented the execution of 42 Ukrainian servicepersons *hors de combat* (all men).
101. In addition, in June and August 2024, photos and a video that circulated on social media, including in channels with members who express support for the Russian armed forces, appear to show three dismembered or beheaded Ukrainian servicemen in separate incidents. An analysis commissioned by OHCHR found no evidence that the photos and video were manipulated. Analysis geolocated the video to the Kolotilovka border crossing between Ukraine and the Russian Federation, where fighting had taken place in the days before its publication. The photos and video raise serious concerns that the servicemen were executed, and/or their corpses desecrated after death, both of which are grave violations under IHL.<sup>74</sup>

## Conflict-related sexual violence

102. In addition to the cases of sexual violence against POWs and civilian detainees described above, OHCHR in the reporting period documented eight cases of conflict-related sexual violence (against seven women and one man) perpetrated in 2022 and 2023 by members of the Russian armed forces in residential areas under their control. In two cases, Russian soldiers raped two women, who bore children following their rape. OHCHR also documented two cases of sexual violence against members of the lesbian, gay, bisexual, transgender and intersex community that occurred in 2022 and 2023 in Kherson region. In one case, Russian soldiers repeatedly sexually harassed and, on one occasion, struck a transgender woman. In another case, one Russian soldier sexually assaulted a gay man by putting his hand inside the man's underwear, groping his buttocks and threatening to rape him.
103. In total, since 24 February 2022, OHCHR has documented 342 cases of sexual violence (against 236 men, 94 women, 10 girls, and 2 boys) perpetrated by members of the Russian armed forces, law enforcement authorities and penitentiary services. Of these, 279 cases occurred in the context of detention, against 88 civilian detainees, 187 POWs and 4 retained personnel (sexual violence in the context of detention affected mainly men and boys, with 233 men and 1 boy subjected to it, and 45 women subjected to it). Another 61 cases occurred against civilians in residential areas, the majority of whom were women and girls (3 men, 47 women, 1 boy, 10 girls), and 2 (women) during processes of so-called "filtration".<sup>75</sup>

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<sup>73</sup> OHCHR, *Killings of civilians: summary executions and attacks on individual civilians in Kyiv, Chernihiv, and Sumy regions in the context of the Russian Federation's armed attack against Ukraine*, 7 December 2022.

<sup>74</sup> Customary International Humanitarian Law, ICRC, Rule 113.

<sup>75</sup> A system of security checks and personal data collection during which many civilians were detained for periods ranging from several days to several months.

## C. Civic space and fundamental freedoms

104. During the reporting period, occupying authorities continued to use various legal provisions to restrict civic space in occupied territory. For example, in the reporting period, courts convicted the Crimean Tatar newspaper "Qırım" («КЪЫРЫМ»), its editor-in-chief, and its founder and chief executive to pay fines in three separate court cases for "discrediting the Russian armed forces" and for "misuse of freedom of the media" for an article urging Crimean residents not to participate in the "special military operation" of the Russian Federation in Ukraine.
105. According to publicly accessible records, courts in Crimea convicted 105 people (59 women and 46 men) in the reporting period for the administrative offence of "discrediting the Russian armed forces,"<sup>76</sup> and 67 people (43 men and 24 women) for "displaying Nazi symbols or showing disrespect for the Russian State".<sup>77</sup> In many cases, the alleged offenses appeared to involve acts of legitimate exercises of freedom of expression such as the case of the editor-in-chief mentioned above.<sup>78</sup> Fines were imposed on those found guilty of a first offense.
106. Measures by the occupying authorities also continued to impact members and clergy of different religious communities in occupied territory. On 1 July 2024, the Krasnogvardeyskyi district court in Crimea convicted two male Jehovah's Witnesses of "extremist activities" and handed down a six-year suspended prison sentence for discussing the Bible and religious doctrine. Five members of the Jehovah's Witnesses were also subjected to house searches in several locations in Crimea on 7 August, one of which resulted in the detention of an elderly woman and the initiation of a criminal investigation against her for "extremist activities."
107. In June 2024, the occupying authorities demolished the last remaining place of worship of the Orthodox Church of Ukraine (OCU) in Crimea, based on an order of the Yevpatoriia city court from 2019. Additionally, a court process started to review an application from the occupying authorities in Crimea to dissolve the Muslim religious center "Alushta" for alleged "extremist activities."

## D. Administration of justice and accountability

### Accountability for violations of IHL and IHRL

108. According to reports of the Russian newspaper "Kommersant", on 25 July 2024, the Southern Military District Court in Rostov-on-Don, in the Russian Federation, began hearings against two Russian servicemen accused of killing nine civilians in Volnovakha, occupied Donetsk region, in October 2023.<sup>79</sup>
109. On 26 June, the Russian-appointed "Military Court of the Luhansk People's Republic" found an officer of the Russian armed forces guilty and sentenced him to 11 years of imprisonment for killing a young civilian woman in August 2023 in Luhansk. The court stripped him of a previously awarded "Hero of the Russian Federation" medal, but he retained three other military honors, which made him eligible for a provision under Russian law granting exemption from criminal liability to Russian servicepersons who had received a State decoration.<sup>80</sup> According to media reports, the officer stated during the trial his wish to return to army ranks. On 4 August, a

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<sup>76</sup> Russian Federation Code of Administrative Offenses, art. 20.3.3.; and the Russian Federation Criminal Code, art. 207.3 and art. 280.3.

<sup>77</sup> Russian Federation Code of Administrative Offenses, art. 20.3 (1) "Propaganda or public display of Nazi paraphernalia or symbols, or paraphernalia or symbols of extremist organizations, or other paraphernalia or symbols, the propaganda or public display of which is prohibited by federal laws" and art. 20.1 (3).

<sup>78</sup> See also OHCHR, *Ten Years of Occupation by the Russian Federation: Human Rights in the Autonomous Republic of Crimea and city of Sevastopol, Ukraine*, 28 February 2024.

<sup>79</sup> See also OHCHR, *Report on the human rights situation in Ukraine, 1 August 2023 to 30 November 2023*, 13 December 2023, para. 46.

<sup>80</sup> OHCHR, *Report on the Human Rights Situation in Ukraine, 1 February to 31 July 2023*, September 2023, paras. 128-129.

pro-Russian Telegram channel posted a video of the officer interrogating a Ukrainian POW, indicating that he had returned to the occupied territory and continued military service.<sup>81</sup>

### Conviction of OSCE staff member

110. On 12 July 2024, the 'Supreme Court of the Donetsk People's Republic sentenced a Ukrainian staff member of the Organization for Security and Co-operation in Europe (OSCE) to 14 years in prison for espionage. Previously, similar sentences were handed down to two other local staff members of OSCE in Luhansk. OHCHR is concerned about allegations that the defendants were pressured to incriminate themselves and other possible fair trial violations during their hearings, which were held behind closed doors.<sup>82</sup>

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<sup>81</sup> The video is available at [https://t.me/urqa\\_74/1445](https://t.me/urqa_74/1445) (accessed 2 September 2024). Russian media reports identified the man leading the questioning as the previously sentenced Russian officer.

<sup>82</sup> See also OHCHR, *Report on the human rights situation in Ukraine, 1 December 2023 to 29 February 2024*, 26 March 2024, para. 71.

## VI. HUMAN RIGHTS IN TERRITORY CONTROLLED BY THE GOVERNMENT OF UKRAINE

### A. Civic space and fundamental freedoms

#### Freedoms of peaceful assembly and expression, non-discrimination

111. On 16 June, the first Pride Equality March since 2021 was held in Kyiv, with an estimated 300-350 participants. A counterdemonstration was held in a different location. Effective measures by the Kyiv administration and police ensured the smooth implementation of the event and prevented clashes between the two groups. Key demands of the participants in the Pride Equality March included the adoption of two draft laws that would strengthen Ukrainian legislative framework regarding non-discrimination, in relation to registered partnerships and protection from hate crimes.<sup>83</sup>

#### Freedom of religion and belief

112. In the reporting period, OHCHR continued to document cases impacting the activities of the Ukrainian Orthodox Church (UOC).<sup>84</sup> On 17 June 2024, the Lviv Circuit Administrative court upheld a decision of the Drohobych city council to ban the activities of the UOC in the district due to national security considerations. The court held that the local UOC religious community had not proven a violation of its rights, without however sufficiently explaining how the ban was deemed necessary and proportional to protect public safety or order, as required by art. 18 of the International Covenant on Civil and Political Rights (ICCPR). OHCHR is aware of at least seven similar judgments since February 2022. Five of the decisions have become final, with no further possibility of appeal.
113. In another case, a high-level UOC clergyman was released to the Russian Federation during a prisoner exchange on 22 June. A day earlier, the Vinnytsia Court of Appeal had upheld a verdict of five years of imprisonment and confiscation of property for charges in relation to justification of the armed conflict. In both this and another case documented by OHCHR, UOC clergy members reported pressure to confess and agree to exchange with the Russian Federation.
114. On 20 August 2024, the Parliament of Ukraine adopted the law "On the protection of constitutional order in the sphere of activities of religious organizations" (Law No. 3894-IX), introducing legislative amendments which *inter alia* prohibit the activities in Ukraine of the Russian Orthodox Church, as well as other religious organizations affiliated with it. The Law also prohibits the activities of any religious organizations which are used for the "propaganda of the ideology of the Russian world".
115. The Law raises concerns regarding its compliance with international human rights standards. In particular, it refers to national security as a ground for restrictions on the freedom of religion or belief and the freedom of religious associations.<sup>85</sup> However, neither the ICCPR nor the European Convention on Human Rights include "national security" among the permissible grounds for such a restriction.

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<sup>83</sup> Draft Law 'On the Institute of Registered Partnerships' No. 9103 registered on 13 March 2023 at <https://itd.rada.gov.ua/billInfo/Bills/Card/41497> (last accessed on 24 July 2024) and Draft Law 'On amendments to the Code of Ukraine on Administrative Offenses and to the Criminal Code of Ukraine on Combating Manifestations of Discrimination' No. 5488 registered on 13 May 2021 at <https://itd.rada.gov.ua/billInfo/Bills/Card/26573> (last accessed on 24 July 2024). Both draft laws are pending review by the Ukrainian Parliament.

<sup>84</sup> For background on previous cases, see *inter alia* OHCHR, *Report on the Human Rights Situation in Ukraine, 1 August 2022 to 31 January 2023*, 24 March 2023, paras. 110-113.

<sup>85</sup> Article 2 states that foreign religious organizations are allowed to operate in Ukraine as long as their activities do not endanger national or public security, public order, health, morality, or the rights and freedoms of others.



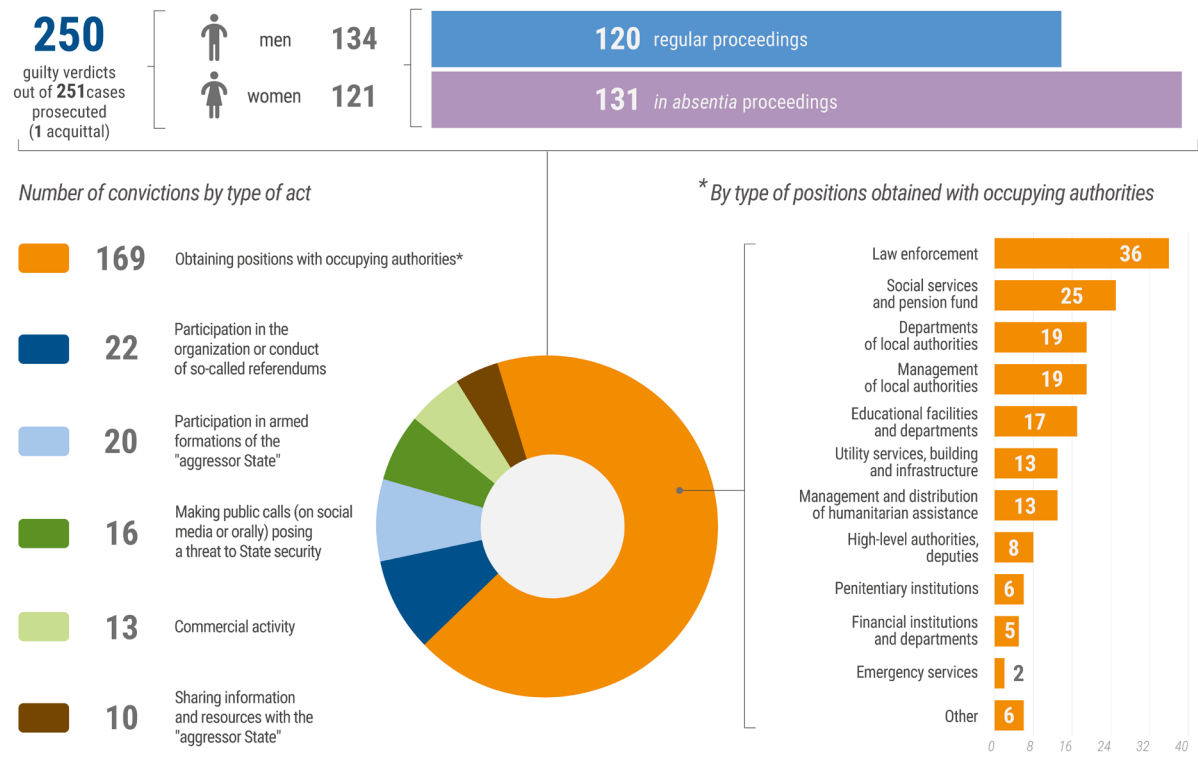
## B. Administration of justice and accountability

### Prosecution and conviction for “collaboration activities”

116. In earlier reports, OHCHR had documented a high number of individuals convicted by Ukrainian courts on charges of “collaboration activities” for conduct that could, in principle, be lawfully compelled by the occupying Power.<sup>86</sup> In the reporting period, OHCHR assessed that 38 of the 255 individuals who were convicted fell into this category, continuing a downward trend in the number of these cases in 2024, as compared to 2022 and 2023.

#### VERDICTS IN CASES OF “COLLABORATION ACTIVITIES” (ART. 111-1 OF THE CRIMINAL CODE OF UKRAINE)

From 1 June to 31 August 2024



Creation Date: 18 September 2024 Source: OHCHR HRMMU

117. OHCHR also observed a reduction in the number of new cases that the Office of the Prosecutor General of Ukraine opened related to “collaboration activities.” There were 511 new cases in the reporting period, compared with 652 new cases in the past three-month period. The reduction follows internal instructions seen by OHCHR and circulated by the Prosecutor General on 15 May to ensure compliance with IHL in the prosecution of people suspected of “collaboration activities,” including by ensuring that people are not prosecuted for activities that could, in principle, be compelled by the occupying Power according to IHL.
118. On 25 July, the Coordination Headquarters on the Treatment of POWs, the Ombudsperson Office and the SBU presented a project entitled “I want to go back to my people”, launching a website<sup>87</sup> with personal data of convicted conflict-related detainees, mostly Ukrainian nationals<sup>88</sup>, who had reportedly agreed to be exchanged with the Russian Federation. The website also offered Ukrainian residents to fill out a form if they

<sup>86</sup> Article 51 of the Fourth Geneva Convention provides that the Occupying Power may compel protected persons to work for public utility services, or for the feeding, sheltering, clothing, transportation or health of the population of the occupied country.

<sup>87</sup> Additional details can be found at <https://hochuksvoim.com/en> (last accessed on 28 August 2024).

<sup>88</sup> As of 31 August, there were 229 profiles on the website.

wish to leave to the Russian Federation. The initiative raised several human rights concerns, including whether persons in detention – an inherently coercive environment – could give voluntary and informed consent to publicly release a large amount of personal data on the internet. OHCHR has also documented cases in which conflict-related detainees were offered plea bargains if they agreed to be exchanged, which they felt pressured to accept. The approach additionally risks stigmatization of the individuals and their families, as well as increased arbitrary detention of civilians on both sides in order subsequently to exchange them.

### Decision of the Constitutional Court of Ukraine

119. In a positive development, on 18 July 2024, the Constitutional Court of Ukraine found unconstitutional art. 615 (6) of the Criminal Procedure Code of Ukraine,<sup>89</sup> regarding the two-month automatic extension of pre-trial detention of an individual in case it was not possible for the competent court to review their case.<sup>90</sup> The Court found that grounds for the “impossibility for review” are not established by law and reiterated that detention of an individual without a properly-reasoned court decision was lawful only for 72 hours. Although the use of the provision has not been common, OHCHR has documented individual instances thereof. In one recent case, the abbot of a UOC monastery accused of a conflict-related crime spent 54 days in custody automatically extended this way, after his measure of restraint had expired in June 2024, until his pre-trial detention was judicially reviewed.

### International criminal justice

120. On 15 August, the President of Ukraine submitted two draft laws on ratification of the Rome Statute of the International Criminal Court.<sup>91</sup> The ratification law was adopted by the Parliament on 21 August and signed by the President on 24 August. However, it will enter into force together with the implementation law amending the Criminal Code of Ukraine, which has not been adopted yet.<sup>92</sup>
121. Whilst overall this is a positive development towards facilitating further accountability, the ratification law includes a declaration excluding the Court’s jurisdiction over war crimes allegedly carried out by Ukrainian nationals for a period of seven years from the Statute’s entry into force.

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<sup>89</sup> This provision (para. 6 art. 615 of the Criminal Procedure Code of Ukraine) was introduced on 3 March 2022 following the challenges by the investigative and judicial authorities faced with the full-scale invasion.

<sup>90</sup> The provision will cease to be in force three months after the Constitutional Court’s decision was adopted.

<sup>91</sup> Draft Law No. 0285 of 15 August 2024 “On ratification of the Rome Statute of the International Criminal Court and amendments thereto”, at <https://itd.rada.gov.ua/billInfo/Bills/Card/44724>; and Draft Law No. 11484 of 15 August 2024 “On Amendments to the Criminal Code and the Code of Criminal Procedure of Ukraine in connection with the ratification of the Rome Statute of the International Criminal Court and amendments thereto”, at <https://itd.rada.gov.ua/billInfo/Bills/Card/44725>.

<sup>92</sup> On 15 August 2024, the President registered a draft law proposing amendments to the criminal code and code of criminal procedure linked to the ratification of the Rome Statute (draft law 11484). The draft law is under consideration by Parliament.

## VII. TECHNICAL COOPERATION

122. In the reporting period, OHCHR provided technical assistance on rule of law, justice, accountability, protection of civilians, and groups in a situation of vulnerability, through engagement with representatives from different branches and levels of the Government of Ukraine.
123. In consultation with the UN Country Team, OHCHR prepared joint UN submissions to the UN Committee on the Rights of Persons with Disabilities and the UN Committee on Enforced Disappearances for consideration, during their respective reviews of Ukraine.
124. OHCHR also delivered three training sessions for 54 human rights defenders (39 women, 15 men) on treaty-based and charter-based bodies of UN human rights mechanisms and how NGOs can engage with them.

## VIII. RECOMMENDATIONS

125. In past reports, OHCHR provided numerous recommendations, most of which are still relevant and require implementation. The violations recorded in the current reporting period have highlighted the need to implement the following recommendations, in particular:

126. To all parties to the conflict:

- a) Respect and ensure full compliance with IHL, in particular, in the conduct of hostilities, the protection of civilians, and the treatment of protected persons;
- b) Conduct prompt, thorough and impartial investigations into all alleged cases of torture or ill-treatment of POWs, including deaths in custody, and ensure that perpetrators are held to account, commensurate with the seriousness of their conduct;
- c) In line with the Geneva Conventions, conclude agreements which would enable POWs and civilian detainees to be interned in the territory of a neutral country, particularly after long duration of captivity and for the sick and wounded;
- d) Take all feasible precautions, in light of experience, to avoid or at the very least minimize civilian harm, including through the careful selection of means and methods of warfare;
- e) Cease the use of explosive weapons with wide-area effects in populated areas and rigorously map the location of mines so that affected areas can be promptly cleared; and
- f) Ensure timely and effective investigations into all alleged violations of IHL and IHRL; ensure that alleged perpetrators, including members of the security forces and persons in positions of command, are duly prosecuted; and provide gender-sensitive reparations and support to victims and survivors, including medical, psychological and legal support services, with particular attention to the specific needs of women, girls, men and boys.

127. To the Russian Federation:

- g) Immediately cease its use of armed force against Ukraine and withdraw its military forces from the territory of Ukraine, as per United Nations General Assembly Resolution ES-11/1 on the "Aggression against Ukraine", adopted on 2 March 2022, and the binding order of the International Court of Justice on provisional measures of 16 March 2022;
- h) Immediately cease and publicly condemn summary execution, torture, ill-treatment and sexual violence against POWs and civilian detainees, and end all unlawful practices relating to detention;
- i) Identify risk factors for systemic torture and ill-treatment within places of deprivation of liberty and ensure effective functioning of torture prevention measures, including access to medical care and increased contact with the outside world;
- j) Ensure adequate conditions of internment for POWs and civilian detainees, including by effective oversight;
- k) Provide independent and impartial monitors full and regular access to all places where Ukrainian POWs and civilian detainees are held, which should include the possibility of confidential interviews;
- l) Establish a mixed medical commission with a view to facilitating adequate medical treatment and repatriation or accommodation in a neutral country of the severely wounded and sick POWs;
- m) Cease holding POWs in penitentiaries, unless this is in the POWs' own interests;

- n) Criminalize torture in line with international law and repeal provisions in the Criminal Code and other legislation exempting persons enlisting in the Russian armed forces and serving Russian serviceperson from criminal liability;
- o) Use internment of civilians only as an exceptional measure in compliance with the Fourth Geneva Convention. Ensure that decisions on internment are periodically reviewed and all civilian detainees are released as soon as the circumstances justifying their detention have ceased to exist;
- p) Fulfil obligations under IHL in the territory of Ukraine under its occupation and ensure, as far as possible, public order and safety, including by respecting Ukrainian laws in force unless absolutely prevented from doing so; and
- q) Strengthen cooperation and dialogue with OHCHR, including by providing OHCHR meaningful access to the occupied territory of Ukraine.

128. To Ukraine:

- r) Ensure that POWs and civilian internees are treated in full compliance with IHL and IHRL, including in particular by protecting them from torture or ill-treatment at the initial stage of captivity;
- s) Transfer POWs to official places of internment with minimal delay, and cease holding them in penitentiaries for temporary periods, unless this is in the POWs' interests;
- t) Strengthen reporting and complaint systems and torture prevention measures, particularly at initial phases of internment;
- u) Ensure that all efforts to return civilian detainees from Russian captivity protect the rights of all persons affected by this process, in compliance with IHL and IHRL;
- v) Align the provisions on "collaboration activities" with international law and refrain from prosecution of individuals for collaboration when their conduct with respect to the occupying authorities was consistent with what can be lawfully required under IHL;
- w) Adopt the law "On Amendments to the Criminal Code and the Code of Criminal Procedure of Ukraine in connection with the ratification of the Rome Statute of the International Criminal Court and amendments thereto" without delay;
- x) Take effective measures to ensure that no one shall be subject to discrimination on grounds of religion or belief, including by ensuring that the law "On the protection of constitutional order in the sphere of activities of religious organizations" fully complies with IHRL;
- y) Strengthen the legislative framework regarding non-discrimination in relation to registered partnerships and protection from hate crimes; and
- z) Withdraw its declaration under article 124 of the Rome Statute of the International Criminal Court, which temporarily restricts the jurisdiction of the Court over alleged war crimes committed by Ukrainian nationals.

129. To the international community:

- aa) Urge the parties to the conflict fully to respect IHRL and IHL, and work collectively to ensure respect for IHRL and IHL, including through provision of remedy, redress and reparation for violations, and prevention of further violations;
- bb) Call for OHCHR and other independent monitoring to have the fullest possible access to all areas of Ukraine occupied by the Russian Federation, including places of internment and detention, in order to facilitate comprehensive monitoring and accountability;
- cc) Assist actors providing psychological services and other types of support to victims and survivors of grave human rights violations, inclusive of sexual violence, with attention to the respective needs of women, girls, men and boys; and
- dd) Sustain attention and humanitarian assistance to people impacted by the war, including those internally displaced.



UNITED NATIONS  
**HUMAN RIGHTS**  
OFFICE OF THE HIGH COMMISSIONER

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*Ukraine*

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